

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (original): A Group III nitride semiconductor element comprising a substrate; a first nitride semiconductor layer composed of AlN which is provided on the substrate; a second nitride semiconductor layer composed of  $\text{Al}_{x_1}\text{Ga}_{1-x_1}\text{N}$  ( $0 \leq x_1 \leq 0.1$ ) which is provided on the first nitride semiconductor layer; and a third nitride semiconductor layer composed of  $\text{Al}_{x_2}\text{Ga}_{1-x_2}\text{N}$  ( $0 < x_2 < 1$  and  $x_1 + 0.02 \leq x_2$ ) which is provided on the second nitride semiconductor layer.
2. (original): A Group III nitride semiconductor element according to claim 1, wherein said substrate is selected from a group consisting of sapphire single crystal, Si single crystal, SiC single crystal, AlN single crystal, and GaN single crystal
3. (currently amended): A Group III nitride semiconductor element according to claim 1 or 2, wherein said second nitride semiconductor layer is formed of an island-like structure in which crystals of different heights are arranged so as to be separated from one another.
4. (currently amended): A Group III nitride semiconductor element according to ~~any one of claims 1 to 3~~ claim 1, wherein said second nitride semiconductor layer contains a region having a low Al content and a region having a high Al content.

5. (currently amended): A Group III nitride semiconductor element according to ~~any one of claims 1 to 4~~claim 1, wherein said second nitride semiconductor layer is composed of  $\text{Al}_{x1}\text{Ga}_{1-x1}\text{N}$  ( $0 \leq x1 \leq 0.05$ ).

6. (original): A Group III nitride semiconductor element according to claim 5, wherein said second nitride semiconductor layer is composed of  $\text{Al}_{x1}\text{Ga}_{1-x1}\text{N}$  ( $0 \leq x1 \leq 0.02$ ).

7. (currently amended): A Group III nitride semiconductor element according to ~~any one of claims 1 to 6~~claim 1, wherein said second nitride semiconductor layer has a thickness of 1 to 500 nm.

8. (original): A Group III nitride semiconductor element according to claim 7, wherein said second nitride semiconductor layer has a thickness of 1 to 400 nm.

9. (original): A Group III nitride semiconductor element according to claim 8, wherein said second nitride semiconductor layer has a thickness of 1 to 300 nm.

10. (currently amended): A Group III nitride semiconductor element according to ~~any one of claims 1 to 9~~claim 1, wherein said second nitride semiconductor layer is composed of an undoped semiconductor.

11. (currently amended): A Group III nitride semiconductor light-emitting device comprising a Group III nitride semiconductor element according to ~~any one of claims 1 to 10~~claim 1; a fourth nitride semiconductor layer provided on said third nitride semiconductor layer of said semiconductor element, said fourth nitride semiconductor layer including an n-type layer, a light-emitting layer, and a p-type layer, which are successively formed atop said third nitride semiconductor layer in this order; a negative electrode provided on said n-type layer; and a positive electrode provided on said p-type layer.

12. (original): A light-emitting diode comprising a Group III nitride semiconductor light-emitting device according to claim 11.

13. (original): A laser diode comprising a Group III nitride semiconductor light-emitting device according to claim 11.

14. (currently amended): A semiconductor device comprising a Group III nitride semiconductor element according to ~~any one of claims 1 to 10~~claim 1.

15. (new): A Group III nitride semiconductor element according to claim 1, wherein said first nitride semiconductor layer has a thickness of 0.005 to 0.5  $\mu\text{m}$ .